

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

BRIAN KNIGHT,

Plaintiff,

v.

CLIMBING MAGAZINE; et al.,

Defendants.

3:11-CV-0146-LRH-RAM

ORDER

Before the court are defendant Climbing Magazine (“Climbing”) and SKRAM Media, LLC’s (“SKRAM”) motions to dismiss. Doc. ##14, 15.¹ Plaintiff Brian Knight (“Knight”) filed oppositions (Doc. ## 17, 18) to which moving defendants replied (Doc. ##20, 21).

On December 23, 2010, Knight filed a complaint against defendants for libel and intentional infliction of emotional distress. Doc. #1, Exhibit A. In response, moving defendants filed the present motions to dismiss. Doc. ##14, 15. Thereafter, Knight filed a motion for leave to file an amended complaint which was granted by the court. *See* Doc. #23. An amended complaint was subsequently filed on June 29, 2011. Doc. #24.

The amended complaint supersedes the original complaint in its entirety. Accordingly, moving defendants’ motions to dismiss the original complaint are now moot. The court shall deny

¹ Refers to the court’s docketing number.

1 the motions without prejudice because moving defendants have not yet had the opportunity to
2 respond to the new allegations and claims in the amended complaint.

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4 IT IS THEREFORE ORDERED that defendants' motions to dismiss (Doc. ## 14, 15) are
5 DENIED without prejudice.

6 IT IS SO ORDERED.

7 DATED 14th day of September, 2011.



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10 LARRY R. HICKS
UNITED STATES DISTRICT JUDGE